

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN DANIEL FUCHS**, on March 6, 2003 at 8 A.M., in Room 152 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Daniel Fuchs, Chairman (R)  
Rep. Ronald Devlin, Vice Chairman (R)  
Rep. Ron Erickson, Vice Chairman (D)  
Rep. Joan Andersen (R)  
Rep. Joe Balyeat (R)  
Rep. Gary Branae (D)  
Rep. Eileen J. Carney (D)  
Rep. Jill Cohenour (D)  
Rep. Larry Cyr (D)  
Rep. Gary Forrester (D)  
Rep. Kim Gillan (D)  
Rep. Verdell Jackson (R)  
Rep. Bob Lake (R)  
Rep. Carol Lambert (R)  
Rep. Jesse Laslovich (D)  
Rep. Jim Peterson (R)  
Rep. John (Jack) W. Ross (R)  
Rep. Karl Waitschies (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Kathleen Ely, Committee Secretary  
Jeff Martin, Legislative Branch

**Video-taped Committee:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society. THE TIME STAMP REPRESENTS ELAPSED TIME.

**Committee Business Summary:**

Hearing & Date Posted: HB 737, 2/24/2003; HB 721,  
2/24/2003

Executive Action: HJR 34, DO PASS, 11-7  
HB 204, TABLED  
HB 355, TABLED  
HB 86, TABLED

**HEARING ON HB 737**

**Opening Statement by Sponsor:**

02:00 **REP. GALLIK, HD 52 -- Short Title:** Allow local  
government to impose development impact fees.

**Proponents' Testimony:**

05:00 Linda Stoll, Montana Association of Planners, Missoula  
County  
13:00 Don Hargrove, Gallatin County  
15:00 Harold Blattie, Montana Association of Counties  
16:00 Alec Hansen, League of Cities and Towns  
21:00 Jani McCall, City of Billings  
22:00 Tammy McGill, Land Use Planner, Firefighter, Stillwater  
County

**Opponents' Testimony:**

25:00 Byron Roberts, Montana Builders Association

**EXHIBIT (tah47a01)**

32:00 Peggy Trenk, Montana Association of Realtors

34:00 Mark Evans, Southwest Montana Building Industry  
Association

**EXHIBIT (tah47a02)**

**EXHIBIT (tah47a03)**

37:00 Mary Whittinghill, Montana Taxpayers Association

39:00 Dennis Iverson, Montana Contractors Association

40:00 Carl Schweitzer, Sub-Contractors Association of Montana

41:00 Art Whittick, Attorney, Bozeman Association of Builders

**EXHIBIT (tah47a04)**

45:00 Jim Kembel, Montana Association of Land Surveyors

46:00 Michael Kakuk, Montana Association of Realtors, Montana  
Contractors Association

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

47:00

**Closing by Sponsor:**

1:07:00

**EXHIBIT (tah47a05)**

**HEARING ON HB 721**

**Opening Statement by Sponsor:**

1:17:00 REP. ERICKSON, HD 64 -- Short Title: Revise water's edge election for corporate taxation.

**EXHIBIT** (tah47a06)

**EXHIBIT** (tah47a07)

**EXHIBIT** (tah47a08)

**EXHIBIT** (tah47a09)

**Proponents' Testimony:** None.

**Opponents' Testimony:**

1:39:00 Mark Green, Attorney

1:46:00 Mary Whittinghill, Montana Taxpayers Association,  
Montana Retailers Association, Montana Chamber of  
Commerce

1:47:00 Tom Figarelli, Forward Montana

**Informational Testimony:**

1:55:00 Don Hoffman, Department of Revenue

**Questions from Committee Members and Responses:**

1:49:00

(The above timing is correct. After questions from Committee Members began, Vice-Chairman Devlin declared Don Hoffman an informational witness.)

**Closing by Sponsor:**

2:04:00

10:10 a.m. Break

10:48 a.m. Resume

**EXECUTIVE ACTION ON HJR 34**

**Motion/Vote:** REP. BALLYEAT moved that HJR 34 DO PASS. Motion carried 11-7 with BRANAE, CARNEY, COHENOUR, CYR, ERICKSON, GILLAN, and LASLOVICH voting no by voice vote.

**EXECUTIVE ACTION ON HB 204**

**Motion/Vote:** REP. LAMBERT moved that HB 204 BE TABLED. Motion carried 11-7 with BRANAE, CARNEY, COHENOUR, CYR, ERICKSON, GILLAN, and LASLOVICH voting no by voice vote.

EXECUTIVE ACTION ON HB 204

Motion/Vote: REP. LAMBERT moved that HB 204 BE TABLED. Motion carried 14-4 with CARNEY, COHENOUR, GILLAN, and LASLOVICH voting no by voice vote.

EXECUTIVE ACTION ON HB 86

Motion: REP. GILLAN moved that HB 86 DO PASS.

Substitute Motion/Vote: REP. DEVLIN made a substitute motion that HB 86 BE TABLED. Substitute motion carried unanimously by voice vote.

**ADJOURNMENT**

Adjournment: 11:07 A.M.

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REP. DANIEL FUCHS, Chairman

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KATHLEEN ELY, Secretary

DF/KE

**EXHIBIT (tah47aad)**